



MAIL STOP RCE  
PATENT  
8013-1139

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Atsushi YAMAGUCHI et al. Conf. 1202

Application No. 09/944,186 Group 2811

Filed September 4, 2001

Examiner Shouxiang Hu

NITRIDE BASED SEMICONDUCTOR  
LIGHT-EMITTING DEVICE

REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 13, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under §1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

The enclosed document is being transmitted via facsimile.



Submission Required under 37 C.F.R. § 1.114:

Enter as part of the present submission:

An After Final Amendment previously filed on \_\_\_\_\_, under 37 C.F.R. § 1.116 but unentered, in the present application.

Arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

A Reply is attached hereto. Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY FILED	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	RATE	FEE
<b>Total Claims</b>	120	15	0	x\$18 =	\$0.00
<b>Independent Claims</b>	3	1	0	x\$88 =	\$0.00
<b>TOTAL CLAIM FEE(S)</b>					<b>\$0.00</b>

An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

Other:



Fees

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

\$395.00 - small entity

\$790.00 - large entity

The applicant(s) hereby petition(s) for an extension of ( ) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$0.00 is required for the full period of the above-requested extension of time.

An extension of ( ) month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) extension.

Enclosed is a check in the amount of \$790.00 for the applicable filing fee, additional claims fee, and/or extension fees.

Please charge Deposit Account No. 25-0120 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

YOUNG & THOMPSON



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LM/lk

Attachment



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**AMENDMENT**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 13, 2004

Sir:

In response to the Official Action mailed February 23, 2004, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Amendments to the Drawings** begin on page 8 of this paper.

**Remarks** begin on page 9 of this paper.

An **Appendix** is attached following the signature page of this paper.